

REMARKS/ARGUMENTS

The Examiner states that the invention of Groups I and II are related as process of making and product made under M.P.E.P. § 806.05(f) and the process, as claimed, can be used to make other and materially different products, such as allyl phenyl ether or allyl benzoate. However, the claim recites "A method for producing an allyl compound having a compositional formula different from that of an allyl starting material compound, which comprises reacting the allyl starting material compound with an oxygen nucleophilic agent in the presence of a catalyst ... multidentate phosphite compound". Examples 1 and 2 on pages 87 and 88 are directed to a synthesis of allylphenyl ether with a starting material of allylmethyl carbonate as an allyl starting material compound and phenol as an oxygen nucleophilic agent and Examples 6 and 7 on pages 90 and 91 are directed to an allyl benzoate synthesis using allyl acetate as an allyl starting material compound and benzoic acid as an oxygen nucleophilic agent. Therefore, the Examiner has not substantiated the argument that the process, as claimed, can be used to make other and materially different products, since allylphenyl ether and allyl benzoate fall under the products produced by the method of Group I. Therefore, since the requirements of M.P.E.P. § 806.05(f) have not been met, it is requested that the claims of Groups I and II be rejoined and examined in the present application.

Accordingly, for the reasons presented above, it is submitted that the Patent and Trademark Office has failed to meet the burden necessary to sustain the Restriction Requirement. Withdrawal of the Restriction Requirement is respectfully requested.

Respectfully submitted,

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